

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

KEVIN MAURICE WILLIAMS,

Plaintiff

VS.

MRS. CANTY, *et al.*,

Defendants

NO. 5: 05-CV-310 (CAR)

**PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE**

ORDER

In light of the court's appointment of legal counsel for plaintiff and the order this day entered permitting the filing of a Recast Complaint and the reopening of discovery, defendants' Motion for Summary Judgment (Tab #21) is DENIED *without prejudice* to the right of the defendants to re-submit said motion after the conclusion of discovery. The defendants will be permitted to incorporate their motion, brief, Statement of Undisputed Material Facts, and all attachments thereto by reference in the event it is re-submitted.

This order is not intended to be dispositive of defendants' motion but is intended to remove it from the pending motions list until such time as defendants choose to re-submit it.

SO ORDERED AND DIRECTED, this 18th day of AUGUST, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." The signature is stylized with a large, looped initial 'C'.

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE